

PLANT BREEDERS RIGHTS, "MOON DANCE"

346. Hon KIM CHANCE to the minister representing the Minister for Primary Industry:

I refer to an application that was made jointly by Agriculture Western Australia and the Rural Industries Research and Development Corporation under the plant breeders rights law 1973 in the state of Israel, application No 3042/99, registered on 25 May 1999. This application was for plant breeders rights for a variety with the commercial name "Moon Dance".

- (1) Did funds from Agriculture WA accompany this application?
- (2) If so, from what program were those funds drawn?
- (3) Who within Agriculture WA has the principal authority to sign applications in relation to intellectual property matters?
- (4) Has that authority been delegated?
- (5) Has this delegation of authority been conferred in writing as is required by the Public Sector Management Act 1994?
- (6) To whom was this authority delegated in May 1999?
- (7) Does the attached document bear the signature of an authorised person?
- (8) Whose signature appears on the document and what agency or corporation does that person represent?
- (9) Do transactions of this nature require the affixation of the director general's common seal under the Agriculture Act 1988?
- (10) If so, was the common seal affixed as required?

Hon M.J. CRIDDLE replied:

I thank the member for some notice of this question. This question has a number of legal implications on which we need to seek legal advice. I therefore request that the question be put on notice.